IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

RPFC.No. 134 of 2007()

MC.186/2006 of 2006 OF THE FAMILY COURT, KASARAGOD

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REVISION PETITIONER/RESPONDENT:

M. AHAMMED, AGED 55 YEARS,
S/O.AMMANATH HAJI, SADATH MANZIL,
THAYAL MAUVAL, MAUVAL P.O.,
PALLIKKARA VILLAGE, HOSDURG TALUK.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS: PETITIONER:

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1. BEEBI, AGED 45 YEARS, W/O.AHAMMED,
R/AT KANHAMKULAM, BEKAL P.O.,
PALLIKKARA VILLAGE, HOSDURG TALUK.

2. STATE OF KERALA, REP. BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

R.P.(FC) No.134 of 2007

Dated this the 20th day of March, 2007

O R D E R

Revision petitioner is the respondent in M.C.No.186/06 filed under Section 125 of the Code of Criminal Procedure and under orders to provide maintenance to the petitioner/wife at the rate of Rs.3,500/- per month from the date of the order. It is his grievance that he has been made ex-parte without serving notice on him.

2. In the circumstances, the order of the court below is set aside on condition that the revision petitioner depositing the arrears of maintenance at the rate ordered by the court below up to date before the Family Court within 45 days from today. On deposit of the amount, the Family court shall permit the parties to adduce further evidence, if so desired and dispose of the matter on merits at the earliest. Petitioner shall appear before the Family Court on 24.4.2007.

The revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl